


**7-56. Primary Nonferrous Smelter Orders  
(1200 TN 350 7-56)****1. AUTHORITY.**

- a. To provide notice of, and to conduct on behalf of the agency, any public hearing required under section 119 of the Clean Air Act; and to conduct investigations and use the authority of section 321 in order to obtain information for purposes of a waiver under section 119(d)(2);
- b. To sign, and submit for publication in the FEDERAL REGISTER, notices of proposed action to issue, deny, approve, or disapprove primary nonferrous smelter orders or amendments to such orders pursuant to section 119 and 40 CFR, Part 57; and
- c. To sign, and submit for publication in the FEDERAL REGISTER, notices to suspend State Implementation Plan sulfur dioxide emission limitations applicable to nonferrous smelters pursuant to 40 CFR 57.202.

**2. TO WHOM DELEGATED.** Director, Air Protection Division (APD).**3. LIMITATIONS.** The delegates must obtain the concurrence of the Regional Counsel prior to exercising the authorities set forth in 1.b and 1.c.**4. REDELEGATION AUTHORITY.**

- a. The authority in paragraphs 1.a.-1.c. may be redelegated to the associate division director level and no further. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

**5. ADDITIONAL REFERENCES.** None.Date: 4/27/2017  
Cecil Rodrigues  
Acting Regional Administrator